

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BLUEFIELD DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 1:18-cr-00243**

**KIMBERLY ANN ADDAIR**

**MOTION TO CONTINUE**

Comes now the defendant, by counsel, and hereby moves this Honorable Court for an Order continuing the trial and all related pretrial deadlines for a period of forty-five days, and for a finding of excludable time under the Speedy Trial Act as found in Title 18 U.S.C. § 3161, *et seq.* In support thereof, defendant states as follows:

1. The trial of this matter is scheduled for January 15, 2019, before the Honorable David A. Faber. Pretrial motions are due December 10, 2018, and a pretrial motions hearing is scheduled for December 17 at 3:00 p.m.

2. In order to effectively and adequately represent her client, counsel for defendant needs time for to review additional discovery defendant expects to receive from the Government next week and for plea negotiations. An additional forty-five days should be sufficient time to allow this work to be completed.

3. Counsel has consulted government counsel, who advised that the government does not oppose the relief being requested by the defendant.

4. As the defendant remains out on bond, she will not be unduly prejudiced if her motion is granted.

The defendant certifies that the reasons for the request do not include general congestion of the Court's calendar, or lack of diligent preparation on the part of the parties involved.

**WHEREFORE**, defendant respectfully requests that this Honorable Court enter an Order continuing the trial and all related pretrial deadlines for a period of forty-five days.

Respectfully submitted this 7th day of December, 2018.

**KIMBERLY ANN ADDAIR**

By Counsel

**BRIAN J. KORNBATH**  
**ACTING FEDERAL PUBLIC DEFENDER**

**s/ Lorena E. Litten**

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